## SOUTH DAKOTA BOARD OF NURSING

IN THE MATTER OF THE LICENSURE

**PROCEEDINGS** 

RE: MICHELLE DUBRAY, RN, LPN

ORDER OF SUMMARY SUSPENSION

License Nos. R050773, P011986

Licensee.

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WHEREAS, Michelle Dubray, RN ("Licensee"), is licensed to practice as a registered and practical nurse in the State of South Dakota and holds license number R050773 and P011986;

WHEREAS, the South Dakota Board of Nursing ("Board") received a Motion for Summary Suspension and Affidavit Supporting Motion for Summary Suspension requesting the Board issue an Order for Summary Suspension pursuant to SDCL § 1-26-29; and

WHEREAS, the Board considered the Motion and Affidavit for Summary Suspension and, after meeting and discussing the Motion and Affidavit on the 7th day of February, 2019, approved this Order of Summary Suspension by a majority vote of 8-0.

It is hereby ORDERED:

- 1. The Board has a statutory obligation to protect the health, safety and welfare set forth in SDCL § 36-9, including the protection of the public from unsafe nursing practices and practitioners.
  - 2. The Board has jurisdiction over the Licensee and the subject matter of this Order.

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- 3. The Board accepts the facts contained in the Affidavit Supporting Motion for Summary Suspension and specifically finds, pursuant to SDCL 1-26-29, that the actions of the Licensee as set forth and incorporated herein from the Affidavit endanger the public health, safety and welfare, and imperatively require emergency action in that Licensee may endanger the health and safety of those persons who are or will be entrusted to her care in the future and that these are matters of a nature that would constitute further grounds for discipline under SDCL § 36-9-49.
- 4. Based upon these findings, Licensee's license to practice nursing in South Dakota is hereby summarily suspended. Licensee shall turn in her license to the Board within ten (10) days from the date of this Order and it shall be kept by the Board until further action on this matter.
- 5. Licensee is hereby notified that any practice of or holding herself out as a nurse during the terms of this Order of Summary Suspension is a violation of SDCL § 36-9-68(5).
- 6. This action is reportable discipline and will be published in the Board's newsletter and posted on its website and reported into the National Practitioner Data Bank (NPDB) as required by law.
- 7. This summary suspension continues pending proceedings for revocation or other action. Contested case proceedings under SDCL 1-26 shall be promptly instituted so that the Board may enter a final determination regarding disciplinary or corrective action after a formal contested case hearing.

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Dated this 8th day of February, 2019.

SOUTH DAKOTA BOARD OF NURSING

By: Hora Damgaard
Gloria Damgaard, RN, MS

Its: Executive Director